

REMARKS

Claims 1-26 are currently pending in this application, with Claims 1, 9, 14, and 19 being independent.

In the Office Action, Claims 1-6, 9-11, 14-16, and 19-24 have been rejected under 35 U.S.C. §103(a) as being unpatentable over *Hameleers et al.* (U.S. Patent 6,760,325) in view of *Cao et al.* (U.S. Pat. Pub. No. 2004/0141475), Claims 7, 8, 12, 13, 17, 18, 25, and 26 under 35 U.S.C. §103(a) as being unpatentable over *Hameleers* in view of *Cao*, and further in view of Applicants' Admitted Prior Art (AAPA). Additionally, the Examiner has objected to Claim 5.

With regard to the objection of Claim 5, the Examiner notes that Claim 5 currently depends from Claim 3; however, it should depend from Claim 4. As indicated above, Claim 5 has been amended as suggested by the Examiner. Accordingly, it is respectfully requested that the objection be withdrawn.

As indicated above, the Examiner has rejected independent Claims 1, 9, 14, and 19 under 35 U.S.C. §103(a) as being unpatentable over *Hameleers* in view of *Cao*. In rejecting these claims, the Examiner asserts that *Hameleers* teaches all the recitations of these claims except for checking whether or not there is a signaling message and/or supplementary data to be transmitted to the mobile station by the base station controller while the base station controller is transmitting/receiving the voice signal, and multiplexing and transmitting the signaling message and/or the supplementary data with the voice signal to the mobile station when there is the signaling message and/or the supplementary data to be transmitted, and the procedures for transmitting the signaling message and/or the supplementary data, which the Examiner asserts are taught in *Cao*. Basically, the Examiner is citing *Hameleers* as teaching the basic structure of the system, i.e., using a media gateway for communication between wired and mobile communication systems, and is citing *Cao* as teaching multiplexing and

transmitting signaling data with a voice signal.

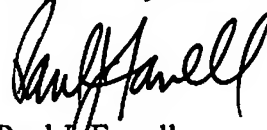
Referring to independent Claims 1, 9, and 19, as indicated above, the Examiner asserts that *Hameleers* teaches all the recitations of these claims except for checking whether or not there is a signaling message and/or supplementary data to be transmitted to the mobile station by the base station controller while the base station controller is transmitting/receiving the voice signal, and multiplexing and transmitting the signaling message and/or the supplementary data with the voice signal to the mobile station when there is the signaling message and/or the supplementary data to be transmitted, which the Examiner asserts are taught in *Cao*. However, neither of the Examiner's cited references makes any reference to transmitting supplementary data, only signaling messages. Therefore, none of references either alone or in combination teach checking if there is supplementary data to be transmitted, nor has the Examiner presented any argument as to why it would be obvious to check for supplementary data to be transmitted (or judge if there is supplementary data as recited in Claim 9). Accordingly, it is respectfully submitted independent Claims 1, 9, and 19 are patentably distinct over *Hameleers* in view of *Cao*, and it is respectfully requested that the rejection of independent Claims 1, 9, and 19 be withdrawn.

Referring to independent Claim 14, which the Examiner has also rejected under 35 U.S.C. §103(a) as being unpatentable over *Hameleers* in view of *Cao*, in addressing this claim in a single rejection along with Claims 2-3 and 20-21, it is respectfully submitted that the Examiner has failed to address a feature of Claim 14, i.e., reducing a transmission rate of the voice data *when the base station controller requests transmission-rate reduction of the voice signal*. Further, it is respectfully submitted that this feature is not disclosed in either *Hameleers* or *Cao*. Therefore, it is respectfully submitted that the Examiner has failed to make a proper rejection of independent Claim 14, and that Claim 14 is patentably distinct from *Hameleers* in view of *Cao*. Accordingly, it is respectfully requested that the rejection of independent Claim 14 be withdrawn.

Without conceding the patentability of dependent Claims 2-8, 10-13, 15-18, and 20-26, these claims are believed to be patentably distinct from the Examiner's cited art based on their dependence from independent Claims 1, 9, 14, and 19, respectively.

Accordingly, it is respectfully submitted that all of the claims pending in the Application, namely, Claims 1-26, are in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicants' attorney at the number given below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul J. Farrell", written over a horizontal line.

Paul J. Farrell
Reg. No. 33,494
Attorney for Applicants

THE FARRELL LAW FIRM
333 Earle Ovington Blvd., Suite 701
Uniondale, New York 11553
Tel: (516) 228-3565
Fax: (516) 228-8475
PJF/DMO/fl